FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT NAGPUR
CIVIL APPLICATION NO: 8048/2006
IN MCA (ST) NO:16148/2006 IN W.P.NO: 2639/1992
(Chief Executive Officer Z.P. Chandrapur vs. Parasram Rudhaji Matte and another)

Office Notes, Office Memorandum of Coram appearances, Court's orders of directions and Registrar's orders.

Court's or Judges Order

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Mr. Gopal Mishra, Adv.for applicant
Mr. A.R. Patil Adv.for R-1
Mrs. Joshi, AGP for R-2

CORAM: A.P.LAVANDE AND
B.P.DHARMADHIKARI, JJ.
DATED: 2nd August, 2007.

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Heard learned counsel Shri Gopal Mishra for applicant/ original respondent no.1; Advocate A.R.Patil, for original petitioner, and Mrs. Joshi, learned AGP for respondent no.2 - Appellate Authority.

2. The present application is for condoning delay of 66 days in filing MCA for review. The reason put forth is that in another independent inquiry the punishment order was passed on 19.11.2001 by the Disciplinary Authority and is maintained by Appellate Authority. It is stated that by the

said order, punishment of recovery of Rs.2,57,366 along with interest at the rate of 18% per annum, has been inflicted upon the original petitioner, who is respondent no.1 in the present matter. The period of suspension has also been treated as period of suspension in that inquiry. It is contended that Writ Petition No.1231/2004 challenging this order of punishment has been filed by present respondent no.1 and it has been admitted for final hearing; but that fact was not pointed out to this Court when it decided Writ Petition No. 2639/1992.

3. After hearing all Advocates, it is apparent that this aspect was not pointed out to this Court when it delivered the judgment on 7.7.2006 in Writ Petition No.2639/1992. In the circumstances, delay of 66 days in filing MCA for review is hereby condoned. C.A. Is allowed.

JUDGE JUDGE

sahare